

EXHIBIT 16

Message

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From: Lewner, Andrew S. [mailto:ALEWNER@stroock.com]
Sent: Tuesday, December 05, 2006 2:22 PM
To: David Thirkill; theo; Haber Martin D
Cc: Jacobson, Michele L.; Higgins, John
Subject: DIG and Non-DIG Arbitrations

Members of the Panel:

The parties in the above-referenced arbitrations have conferred, and have agreed to move the DIG Hearing to the week previously set aside for Non DIG (March 5-9). In addition, Claimant has advised counsel for Commercial Risk that we are also available during the previous week from Tuesday, February 27 through Friday, March 2, and counsel for Commercial Risk has agreed to check his client's availability for those dates and let us know promptly. If those days are acceptable to Commercial Risk and to the Panel, then Claimant will agree to conduct the Non-DIG hearing and the DIG hearing together during those two weeks. If those dates are unacceptable, however, we will conduct only the DIG hearing during March 5-9, and will have to schedule additional dates at some point in the future for the Non-DIG hearing. If this is unacceptable to the Panel, please let us know.

Respectfully submitted,

Andrew S. Lewner, Esq.
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4/16/2007

-----Original Message-----

From: David Thirkill <coomac@comcast.net>

To: Jacobson, Michele L.; John Higgins <JHiggins@damato-lynch.com>; Lewner, Andrew S.

CC: Haber Martin D <haberlaw@aol.com>; theo Com <theo.dielmann@th-dielmann.com>

Sent: Fri Dec 29 09:59:08 2006

Subject: Non-DIG Postponed Hearing

Dear Counsel,

The Panel has conferred regarding possible dates for the postponed non-DIG hearing. As suspected, there are not too many available dates.

The week that would suit us all the best would be the week of June 25th. We could also possibly do the week of April 9. Please advise our availability.

Thanks and Happy New Year

David Thirkill

For the panel

Message

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-----Original Message-----

From: coomac@comcast.net [mailto:coomac@comcast.net]**Sent:** Monday, January 29, 2007 6:27 PM**To:** Shulman, Regan; JHiggins@damato-lynch.com; Jacobson, Michele L.; Lewin, Robert; Lewner, Andrew S.**Cc:** haberlaw@aol.com; theo.dielmann@th-dielmann.com**Subject:** Re: Non-Dig Amended Schedule

Dear Counsel

The Panel confirms that the NON DIG hearing will take place during the week of June 25th. Please note an amended schedule below. The items in RED should have been completed or be in the process of completion. We request you inform us of their status. The items in blue replace those in the previous schedule.

Thank you

David Thirkill
For the Panel

Non-DIG 2nd Amended Schedule

Organizational Meeting	March 28, 2006
Serve Document Requests /Audit Plan Submitted	June 20, 2006
Serve Responses / Objections to Document Requests or Audit Plan	June 27, 2006
Complete Document Production	September 8, 2006
Serve Privilege Logs	September 15, 2006
Exchange Preliminary Lists of Witnesses	September 28, 2006
Commercial Risk to provide audit report	October 9, 2006
Fact Deposition Discovery	October 9, 2006 – January 5, 2006
Status Call	October 16, 2006
Exchange Expert Reports	December 8, 2006
Exchange Rebuttal Expert Reports	January 5, 2006
Expert Deposition Discovery	January 22 – February 2, 2007
Status Call	May 1, 2007
Exchange Pre-Hearing Briefs	May 11, 2007
Exchange Reply Briefs	June 1, 2007

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Exchange Preliminary Exhibit Lists	June 1, 2007
Exchange Hearing Witness Lists	June 5, 2007
Exchange of Deposition Designations (for witnesses who are not appearing at the hearing)	June 8, 2007
Exchange of Deposition Counter- Designations	June 14, 2007
Hearing	June 25, 2007

2/12/2007